THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.17026 of 2006

Dated:18.08.2006

Between:

Tata Subbarao.

…Petitioners

and

The Govt.of A.P., and another

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.17026 of 2006

ORDER:

The petitioner is statedly the rightful owner of the land admeasuring Acs.3.06 cents situated in R.S.Nos.15/1C and 15/2C of Navapothavaram Village, Ibrahimpatnam Mandal in Krishna District, under a gift deed dated 31.03.1997. It is the case of the petitioner that he even filed a suit for declaration, being O.S.No.595 of 1998, on the file of the Court of the I Additional Junior Civil Judge, Vijayawada, which was decreed and also confirmed in A.S.No.143 of 2000 by the Court of the III Additional Senior Civil Judge, Vijayawada. The Second Appeal filed by the opposite parties is pending before this Court. In the meanwhile, the petitioner, through his Advocate, approached the second respondent for issue of pattadar pass books and title deeds, in vain. Therefore, the present Writ Petition is filed.

The petitioner is claiming mutation and necessary pattadar pass books under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, and the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989 (for short 'the Rules'), by reason of the gift deed, which has received approval of the civil Court in O.S.No.595 of 1998. Therefore, the petitioner is required to make an application under Rule 18 read with Rule 27(4) of the Rules. Curiously, the petitioner got issued a legal notice, which is not a proper

representation.

The petitioner is given two weeks time for filing an application in Form VI(A) from the date of receipt of a copy of this order. As and when such application is filed the second respondent shall dispose of the same within a period of four months thereafter in accordance with law. Any such action would be subject to the result of the Second Appeal, being S.A.No.1203 of 2003, pending before this Court.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

18.08.2006
vs